

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT of CALIFORNIA

CIVIL MINUTES

Judge: William Alsup Time in Court:  
5 hours; 33 min.  
Date: May 12, 2016  
Case No. [3:10-cv-03561-WHA](#)

**Oracle America, Inc.** v. **Google, Inc.**

**Plaintiff Counsel**

Peter Bicks; Annette Hurst  
Matthew Bush; Lisa Simpson  
Gabriel Ramsey; Christina Von Der  
Ahe; George Saab (Corp Rep)

**Defense Counsel**

Robert Van Nest; Bruce Baber;  
Christa Anderson; Daniel Purcell;  
Matthias Kamber; Michael Kwun;  
Reid Mullen; Maya Karwande;  
Steven Ragland; Catherine Locavera  
(Corp Rep)

Deputy Clerk: Angella Meuleman

Reporter: Pam Batalo

PROCEEDINGS

REASON FOR HEARING: Further Jury Trial - HELD

RESULT OF HEARING: Witness called.

CONTINUED TO: **May 13, 2016 at 7:30 am** for Further Jury Trial.

UNITED STATES DISTRICT COURT  
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Oracle America, Inc v. Google Inc.

**EXHIBIT and WITNESS LIST**

<b>JUDGE:</b>	<b>PLAINTIFF ATTORNEY:</b>	<b>DEFENSE ATTORNEY:</b>
William Alsup	Peter Bicks; Annette Hurst; Lisa Simpson; Gabriel Ramsey; Matthew Bush; Christina Von Der Ahe; George Saab (Corp rep)	Robert Van Nest; Christa Anderson; Bruce Baber; Daniel Purcell; Michael Kwun; Reid Mullen; Matthew Kamber; Maya Karwande; Catherine Locavera (Corp rep)
<b>JURY TRIAL:</b>	<b>REPORTERS:</b>	<b>CLERK:</b>
May 12, 2016	Pam Batalo	Angella Meuleman
<b>FURTHER TRIAL DATE:</b>		
May 13 , 2016		

PLF NO.	DEF NO	DATE/TIME OFFERED	ID	EVI. REC	DESCRIPTION	BY
		7:17			Court in session. Outside the presence of the jury - Court and counsel discussed preliminary matters.	
		7:47			Resumed. Jury present. Direct examination of Witness <b>Andrew Rubin</b> continued by Christa Anderson.	
	2765		X	X	Statement of Work for Noser re: development of code.	
	7755		X	X	Email from Horowitz, S. to Rubin, A. dated 11/12/2006. The Court rules this exhibit admitted with a limited instruction to the jury. Witness shown exhibit 2352 (previously admitted).	
		8:22			Cross-examination by Annette Hurst.	
1004			X	X	Google Inc. Acquisition of Android, Inc. Closing Purchase Price Calculation and Allocation and Stock Purchase Agreement June 30, 2005.	
			X		Deposition video clip of witness Andrew Rubin.	

1065			X	X	Email string from L. Page to A. Rubin re: Strategy 2006.	
21			X	X	Email string from A. Rubin to D. Bornstein and S. Horowitz re: What are we doing?	
147			X	X	Email string from U. Hoelzle to A. Rubin re: Skelmir. Qualification made to admit redacted version. Exhibit 401 (Email from Nick Sears to <a href="mailto:emg@google.com">emg@google.com</a> (previously admitted) shown to witness.).	
216					Email from Eric Schmidt to Andy Rubin (previously admitted via stipulation).	
151			X	X	Email from Steve Horowitz to Andy Rubin re: GPS Notes (redacted).	
14			X	X	Email from A. Rubin to <a href="mailto:sergey@google.com">sergey@google.com</a> re: Sun Microsystems.	
339			X	X	Email from Andy Rubin to Timothy Lindholm, Richard Miner, Chris DiBona, et al.	
134			X	X	Email from V. Gupta to A. Rubin re Urgent stats needed.	
15					Email string from A. Rubin to R. Miner and T. Lindholm (previously admitted via stipulation).	
6485			X	X	Email from A. Rubin to N. Arora re 3GSM trip report.	
		9:33			Recess.	
		9:51			Resumed; Jury present. Cross-examination of witness Rubin continues.	
196			X	X	Email from Vineet Gupta to Andy Rubin re Sun Google Collaboration Draft Revisions and Feedback.	
215			X	X	Email from C. Desalvo to A. Rubin re Java Class Libraries.	
190			X	X	Email from Kristen Gil to Andy Rubin re: BOD question.	
181			X	X	Email chain from Andy Rubin to Alan Eustace re: Communication to Intel.	
6027			X	X	Email from Andy Rubin to Jha Sanjay re Anti Fragmentation Agreement.	
5109			X	X	Email from Andy Rubin to Rich Miner re: phone stuff.	

5114			X	X	Email from Andy Rubin to Steve Horowitz re: Latest material for CMCC's VP Sha visit Wed. morning.	
5595			X	X	Email from Ethan Beard to Andy Rubin, Rich Miner, Steve Horowitz re Presentation for DoCoMo and attachment.	
7196			X	X	Sun Fulfills Promise of Open and Free Java Technology and Releases Java SE Platform to OpenJDK Community, et al (admitted as notice to the witness)	
207			X	X	Email from E. Schmidt to A. Rubin re: Java Phone. (Previously admitted by stipulation).	
		11:10			Recess. Jury not present. Housekeeping matters discussed.	
		11:27			Resumed; Jury present. Cross-examination of witness continues.	
7			X	X	Email string from T. Cole to Jenifer, A. Rubin, and LSA re Sun Meeting. (previously admitted via stipulation).	
8			X	X	Email string from R. Miner to A. Rubin re Response.	
13			X	X	Email string from B. Swetland to M. Agopian, et al re: new java world.	
5391			X	X	T-Mobile Sidekick Slide, announced 25 Sep 2007, Motorola Q700.	
17			X	X	Email string from B. Coughran to T. Lindholm and A. Rubin re Travel for Android requested.	
158			X	X	Email from <a href="mailto:andyt@google.com">andyt@google.com</a> to <a href="mailto:tangjianfeng@chinamobile.com">tangjianfeng@chinamobile.com</a> , et al, materials on Google Open Handset OS attaching an Android PowerPoint presentation.	
5557			X	X	Email from Keva Nelson to Rich Miner, et al re: LG Slides/Meeting Info and attachment	
5183			X	X	Google presentation entitled "Android OC Quarterly Review - Q1 2009"	
5389			X		HTC Dream Phone, Android OS	
1061			X	X	Email chain from Aditya Agarwal to Nicole Dalton re OCQ deck - quick help needed, with attachment (previously admitted via stipulation)	

10			X	X	Email from T. Lindholm to A. Rubin, et al re Context for Discussion re Alternatives to Java.	
18			X	X	Email string from G. Stein to A. Rubin re The open J2ME project. (previously admitted via stipulation).	
180			X	X	Email chain from Erin Fors to Michael Kirkland, Barry Schnitt, Andy Rubin re Fwd: New question on Android Java.	
538			X	X	Email from Vineet Gupta to Andy Rubin re: IMPT: Ref JavaME.	
382			X	X	Email string from A. Rubin to E. Chu, R. Miner, B. Schnitt, et al re Google folks being quoted.	
165			X	X	Email string from R. Miner to A. House, A. Rubin, and E. Fors re Future of Mobile.	
217			X	X	Email from D. Burke to A. Rubin re Future of Mobile Conference.	
29			X	X	Email string from A. Rubin to D. Wall and <a href="mailto:android-comms@google.com">android-comms@google.com</a> re Android Presence at JavaOne.	
		12:50			Re-direct examination of witness by Christa Anderson.	
		12:58			Re-cross examination of witness by Annette Hurst.	
		12:59			Witness excused. Jury excused for the day.	
		1:00			Court and counsel addressed matters outside the presence of the jury.	
		1:03			Recess until 5/13/2016 at 7:30 AM.	